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Fifth Session, Twenty-Second Parliament, 5 Elizabeth II, 1957.

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THE SENATE OF CANADA

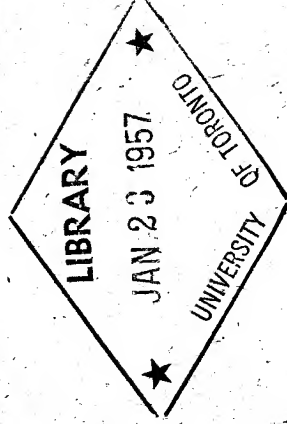
**BILL E.**

An Act to amend the Royal Canadian  
Mounted Police Act.

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Read a first time, Wednesday, 9th January, 1957.

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Honourable Senator MACDONALD.

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY  
OTTAWA, 1957

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Fifth Session, Twenty-Second Parliament, 5 Elizabeth II, 1957.

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## THE SENATE OF CANADA

### BILL E.

An Act to amend the Royal Canadian  
Mounted Police Act.

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Read a first time, Wednesday, 9th January, 1957.

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Honourable Senator MACDONALD.

5th Session, 22nd Parliament, 5 Elizabeth II, 1957.

## THE SENATE OF CANADA

### BILL E.

An Act to amend the Royal Canadian  
Mounted Police Act.

R.S. c. 241;  
1953-54, c. 43;  
1956, c. 45.

HER Majesty, by and with the advice and consent of the  
Senate and House of Commons of Canada, enacts  
as follows:

1. The *Royal Canadian Mounted Police Act* is amended  
by adding thereto, immediately after section 43 thereof, 5  
the following section:

Member of  
Force  
deemed a  
servant of  
the Crown.

“43A. For the purpose of determining liability in any  
action or other proceeding by or against Her Majesty, a  
person who was at any time a member of the Force shall  
be deemed to have been at such time a servant of the 10  
Crown.”

#### EXPLANATORY NOTE.

For the purpose of determining liability, members of the R.C.M.P. have always been regarded as servants of the Crown, but a recent Privy Council decision—*Attorney General for New South Wales v. Perpetual Trustee Company*, (1955) 1 A.E.R. 846—raises a serious doubt about the correctness of this position. The purpose of the amendment is to clarify the situation, as was done in the case of the armed forces when a similar doubt arose in 1943.